



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.11.2019

CORAM:

THE HONOURABLE MR. JUSTICE G.R. SWAMINATHAN

Crl.O.P(MD)No.16267 of 2015

and

M.P.(MD)No.1 of 2015

1.Saravanan

2.Variour @ Kirubanantha Variour

3.Ganeshan

... Petitioners/Accused
1 to 3

Vs

1.The Inspector of Police,
Town North Police Station,
Dindigul,
Dindigul District.

...1st Respondent/
Complainant

2.S.Saravanan

...2nd Respondent/Defacto
Complainant

PRAYER: Petition filed under Section 482 Code of Criminal Procedure, to call for records on the file of the Judicial Magistrate No.II, Dindigul in P.R.C.No.12 of 2012 in Crime No.781 of 2011 on the file of the first respondent police and quash the same.

For Petitioners : Mr.S.C.Herold Singh

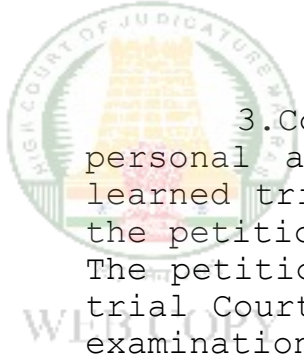
For R1 : Mr.A.Robinson
Government Advocate (Crl.side)

For R2 : No appearance

ORDER

This criminal original petition has been filed for quashing the impugned proceedings.

2.This petition was filed at the PRC stage. Now the case had been committed to the Sessions Court and the witness examination had also substantially progressed. Now there are only four more witnesses to be examined. At this point of time, it is not possible to quash the proceedings. This criminal original petition stand dismissed. However, it is made clear that this Court has not gone into the merits of the matter. All the contentions and defences of the petitioner are left open. Consequently, connected miscellaneous petition is closed.



3.Considering the facts and circumstances of the case, the personal appearance of the petitioners are dispensed with. The learned trial Magistrate shall insist on the personal appearance of the petitioners only when it is absolutely necessary and imperative. The petitioners shall be called upon to appear in person before the trial Court at the time of answering the charges and at the time of examination under Section 313 of Cr.P.C., and at the time of pronouncement of Judgment. On all other occasions, the petitioners can be represented through their counsel.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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To

1. The Judicial Magistrate No.II, Dindigul.

2.The Inspector of Police,
Town North Police Station,
Dindigul,
Dindigul District.

3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

+1 CC to M/s.S.C. HEROLD SINGH, Advocate (SR-100858[F] dated 25/11/2019)

Crl.O.P (MD) No.16267 of 2015
and
M.P. (MD) No.1 of 2015
22.11.2019

AP (02/06/2020) 2P 5C